

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

IN RE:

ROHIT ROHIT

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EP-19-MC-00207-DCG
FILED UNDER SEAL

JOINT MOTION FOR STATUS HEARING

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, Movant, United States of America, and Respondent Rohit Rohit, (hereafter the "Parties"), by and through their attorneys of record, and file this Joint Motion for Status Hearing in the above-styled and numbered cause and in support of would show as follows:

1. On July 25, 2019, Movant filed its Emergency Ex Parte Motion for Order of Authorization to Provide Non-Consensual Examination and Non-Consensual Hydration. Doc. No. 3.¹
2. On July 25, 2019, the Court entered its Order of Authorization Filed Under Seal, granting Movant's emergency motion. Doc. No. 4. The Court's Order instructed ICE to seek further Court approval if more intrusive medical procedures were deemed necessary to preserve the life and health of Mr. Rohit. *Id.* at p. 3.
3. On July 31, 2019, the Court entered its order setting a Status Hearing in this matter for August 7, 2019. Doc. No. 6.
4. On or about August 2, 2019, the Court appointed attorney Brock Benjamin to represent Mr. Rohit in this matter. Text Order Granting in Part and Denying in Part [9] Motion to Appoint Counsel, entered 8/2/2019.

¹ The Court previously authorized Movant's emergency motion to be filed under seal. Doc. No. 2.

5. On August 6, 2019, after conferring with the Parties, and with all Parties in agreement, the Court vacated the August 7, 2019 Status Hearing (Doc. No. 10).

6. The Parties, who have been in continual discussions since the Court appointed counsel, now jointly ask the Court for a Status Hearing so that the Parties can address the following matters with the Court:

- a. Movant seeks an order supplementing the Court's Emergency Ex Parte Motion for Order of Authorization to Provide Non-Consensual Examination and Non-Consensual Hydration. Movant seeks to begin non-consensually feeding Mr. Rohit within 48 hours of the filing of this motion. If a hearing is set, Movant will present evidence to show Mr. Rohit's health has deteriorated to the point that it has become medically necessary for provide Mr. Rohit with nutrition, in addition to hydration and medical examination, in order to preserve his life and health.
- b. Mr. Rohit opposes Movant's request for ICE to provide him with non-consensual feeding. Respondent seeks the opportunity to present oral argument to the Court in opposition to Movant's request.
- c. Mr. Rohit asks the Court to order his presence for any hearing relating to the instant matter.² Medical personnel for ICE have indicated Mr. Rohit is medically fit to attend a court hearing.
- d. If a hearing is set, ICE has safety concerns for its employees. ICE employees across the country have been targeted with threats or harassment once their personal information became publically known. Additionally, ICE facilities have been targeted with violence. *See* Exhibits A - I. In order to help protect the identity of ICE witnesses, and to prevent said witnesses from becoming targets of threats, harassment or violence, Movant seeks a Court instruction to only refer to ICE witnesses by their job title instead of their name during any open hearing in this matter.³ Respondent does not oppose such an instruction.
- e. Further, in addressing ICE's safety concerns for its employees, Movant asks the Court to instruct the United States Marshals Service, or other Courthouse security, to coordinate with ICE to help ensure the safety of ICE personnel and detainees while at the Courthouse.

² Respondent speaks Punjabi and will need the services of an interpreter for any hearing.

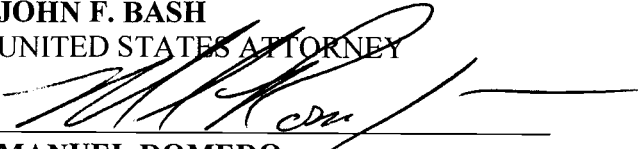
³ Movant recognizes the strong presumption against closing proceedings or portions thereof, as set forth in 28 C.F.R. § 50.9, and thus is not asking for Court closure. Rather, Movant seeks to protect the privacy of Mr. Rohit until such time as he waives his privacy protections, and to protect the privacy and safety of ICE witnesses.

- f. Mr. Rohit is entitled to confidentiality of certain personal information pursuant to the Health Insurance Portability and Accountability Act (“HIPAA”). Mr. Rohit has additional privacy protections from disclosure of certain information to third parties that is set forth in 8 C.F.R. § 208.6. Mr. Rohit is prepared to waive his privacy protection under HIPAA and 8 C.F.R. § 208.6. If the Court sets this matter for hearing, the Parties propose prior to conducting a hearing in open court, the Court first confer with the Parties as to the sufficiency of the waivers and provide any instruction to the Parties that the Court deems appropriate.
 - g. Mr. Rohit requests and believes he should to be transported to a civilian medical facility to be evaluated. This is based on ICE regulations and an attempt to resolve this matter between the parties. After such evaluation, the Respondent believes that the Court would be in a much better position to make a determination as to whether a medical need exists for any force feeding, or even non-consensual hydration.
7. Mr. Rohit seeks to be present at the requested Status Hearing. To accomplish this, the parties request that ICE coordinate Mr. Rohit’s travel to said hearing.

WHEREFORE, PREMISES CONSIDERED, the Parties respectfully request that the Court set a status hearing in the above-styled and numbered cause.⁴

Respectfully submitted,

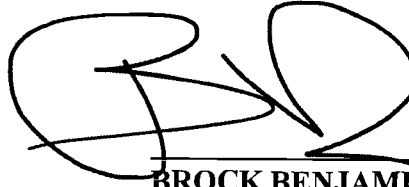
JOHN F. BASH
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Attorneys for United States

AND

⁴ If a hearing is set, the Parties respectfully request Friday, August 16, 2019 to coordinate everyone’s presence at said hearing. ICE’s medical provider is unavailable Thursday, August 15, 2019.

A handwritten signature in black ink, consisting of stylized, overlapping loops and lines, positioned above a horizontal line.

BROCK BENJAMIN

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RECEIVED

AUG 14 2019

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

IN RE: *SK*

ROHIT ROHIT

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EP-19-MC-00207-DCG
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ORDER

On this day, the Court has considered the parties Joint Motion for Status Hearing, in the above entitled and numbered cause, is of the opinion that said motion should be and is hereby **GRANTED**.

Accordingly, **IT IS ORDERED** that the above-captioned cause is set for a **STATUS HEARING** on _____, 2019, at _____ .m.

It is further ordered that ICE is to coordinate Mr. Rohit's travel to said hearing.

SO ORDERED.

SIGNED on this the ____ day of _____, 2019.

DAVID C. GUADERRAMA
UNITED STATES DISTRICT JUDGE

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

IN RE:

ROHIT ROHIT

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**EP-19-MC-00207-DCG
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EXHIBIT LIST

- Exhibit A Threats on federal agents getting personal: ‘Target on our backs’
<https://www.bostonherald.com/2019/07/16/threats-on-ice-agents-getting-personal-target-on-our-backs/>
- Exhibit B FBI investigating shooting into ICE offices in San Antonio as a ‘targeted attack’ against feds
<https://www.ksat.com/news/fbi-investigating-shooting-into-ice-offices-in-san-antonio-as-a-targeted-attack-against-feds>
- Exhibit C ‘Maybe it was his last stand.’ Man killed at Tacoma detention center felt strongly about ICE
<https://www.thenewstribune.com/news/local/article232755852.html#storylink=cpy>
- Exhibit D Increasing threats to Homeland Security include burned animal carcass left on staffer's porch
<https://abcnews.go.com/Politics/increasing-threats-dhs-include-burned-animal-carcass-left/story?id=56131357>
- Exhibit E Tweet about El Paso and other locations
- Exhibit F Trump threatened to classify Antifa as a terrorist group. Germans hit back
<https://www.cnn.com/2019/07/29/europe/germany-antifa-trump-twitter-scli-intl/index.html>
- Exhibit G The Domestic Terror Threat Against ICE
<https://cis.org/Bensman/Domestic-Terror-Threat-Against-ICE>
- Exhibit H ICE agents face heavy criticism and threats after following Trump’s hard-line immigration policy
<http://www.nydailynews.com/news/national/ny-news-trump-ice-face-immigration-policy-20181230-story.html>
- Exhibit I Homeland Security Warns of Increased Threats to Employees
<https://www.govexec.com/management/2018/06/homeland-security-warns-increased-threats-employees/149257/>

EXHIBIT A

LATEST HEADLINES

Threats on federal agents getting personal: 'Target on our backs'



JULY 16, 2019 — NEWBURYPORT, MA. A Newburyport shop owner found this sign targeting her and her husband hanging over a bridge outside her business Saturday. The name of her husband and business have been blurred by the Boston Herald. Courtesy of the family

By RICK SOBEY | rick.sobey@bostonherald.com | Boston Herald

PUBLISHED: July 16, 2019 at 8:24 pm | UPDATED: July 26, 2019 at 11:48 am

Attacks on ICE agents are getting personal, with a Newburyport shop owner and her husband the latest victims of blowback from "radical haters" blaming federal employees for the crisis at the southern border.

The rattled shop owner said she found a sign hanging over a bridge next to her business Saturday morning that called her and her husband out for being "a danger to our community." He works for the Department of Homeland Security, and she's an immigrant from Ireland.

The sign was put up a day before Immigration and Customs Enforcement raids loomed across the country and followed attacks on ICE facilities, including one in Washington state where police shot and killed a man armed with a rifle who tried to set a migrant center on fire.

ICE said the Newburyport threat and others like it are putting people in danger — not only the “enforcement personnel” but “potentially innocent bystanders” and possibly immigrants.

“I’m afraid some person may be not all with it, and might take it further,” the shop owner told the Herald Tuesday about the threat. “It has put a target on our backs for radical haters.”

The sign, she added, was also wrong. Her husband works for Homeland Security, but is not an ICE agent. The Herald is withholding the couple’s identities because they have been targets of a potential threat.

“I don’t get why they would target us,” the shop owner said. “Neither one of us are a threat to anybody, and we’ve had no qualms with anybody. Whoever it is should be ashamed of themselves.”

The woman said she’s nervous, adding she has no idea who made the sign.

The night before the sign was spotted, Indivisible-RISE Newburyport held a rally protesting the Trump administration’s mistreatment of migrants in detention camps. Indivisible-RISE “unequivocally condemns” the sign found on the bridge, the group said in a statement.

“We express our concern for, and full support of, our neighbors who were targeted by the sign,” the statement said.

“The sign had nothing to do with the rally,” added Robin Lawson, a member of the Indivisible-RISE leadership team. “We are not happy about this at all.”

The shop owner filed a report with police, who are investigating. The police and Newburyport Mayor Donna Holaday have been very supportive, she added.

The mayor said she was “appalled” by the sign, adding that these incidents do not happen in Newburyport.

“This isn’t what our community is about,” Holaday said.

The leader of the Greater Newburyport Chamber of Commerce, Frank Cousins, added that the shop owner is hardworking and the couple are “very nice people.”

“It’s unfortunate what happened to them,” he said. “This is not a reflection on Newburyport.”

U.S. Rep. Seth Moulton, who represents Newburyport, said in a statement: “Intimidating law enforcement agents is wrong and should be investigated. ICE agents enforce the president’s policy, and the president’s policies of family separation, mass roundups and deportations is where people should focus their anger.”



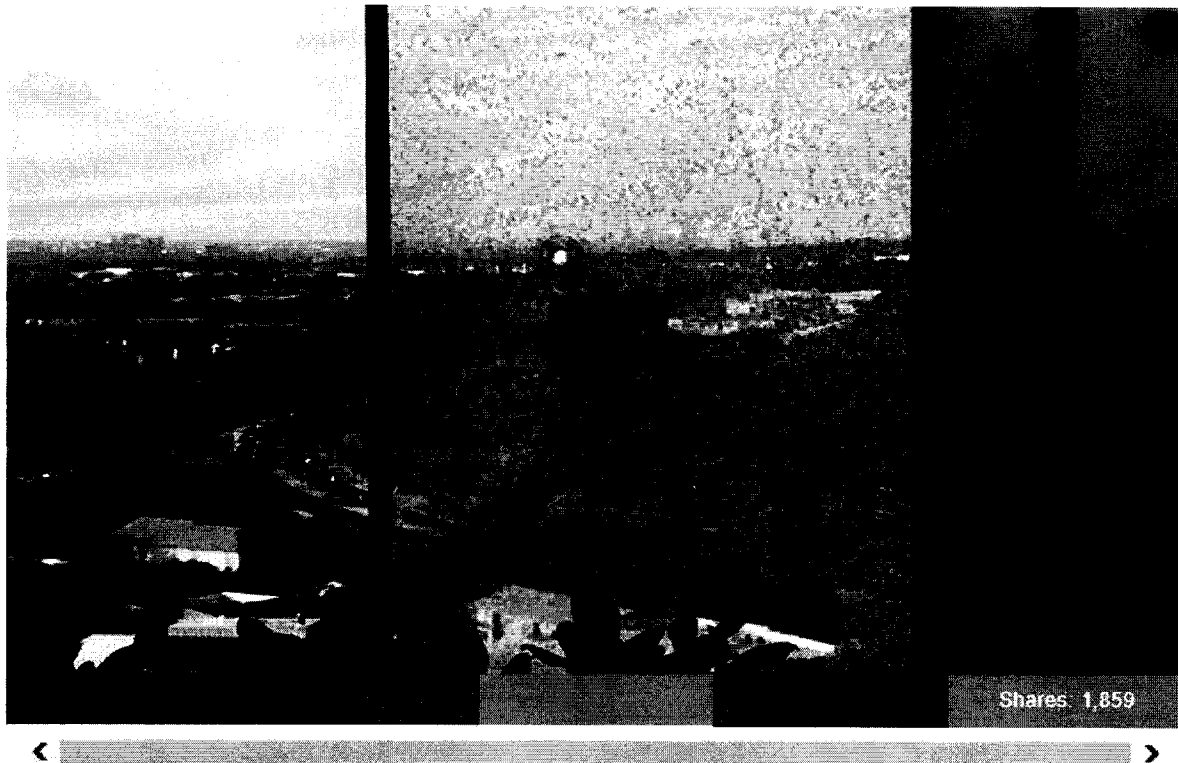
NEWBURYPORT MA. — JULY 16 General scenes around the waterfront town of Newburyport on July 16, 2019 in Newburyport, MA. (Staff Photo By Stuart Cahill/MediaNews Group/Boston Herald)

EXHIBIT B

FBI investigating shooting into ICE offices in San Antonio as a 'targeted attack' against feds

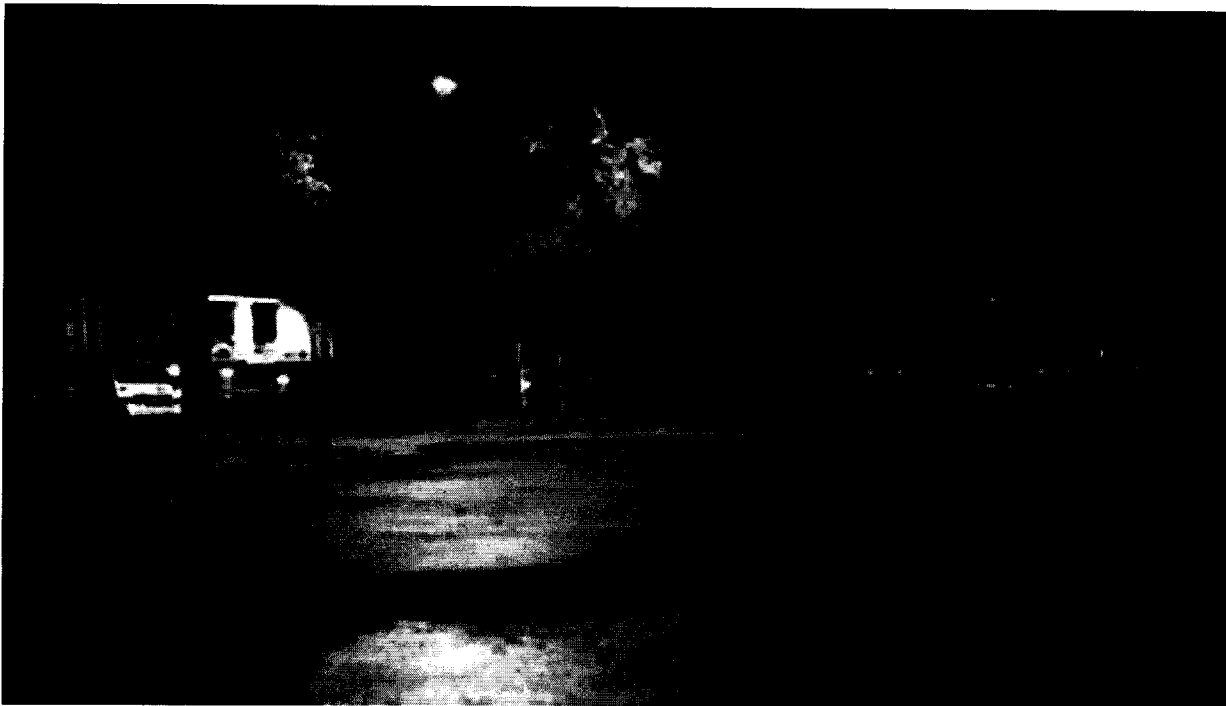
No injuries, but official said bullets were within '2 inches' of employee

By Kolten Parker - Digital Executive Producer, Julie Moreno - Executive Producer/Social Media
Posted: 2:25 PM, August 13, 2019 Updated: 5:44 PM, August 13, 2019



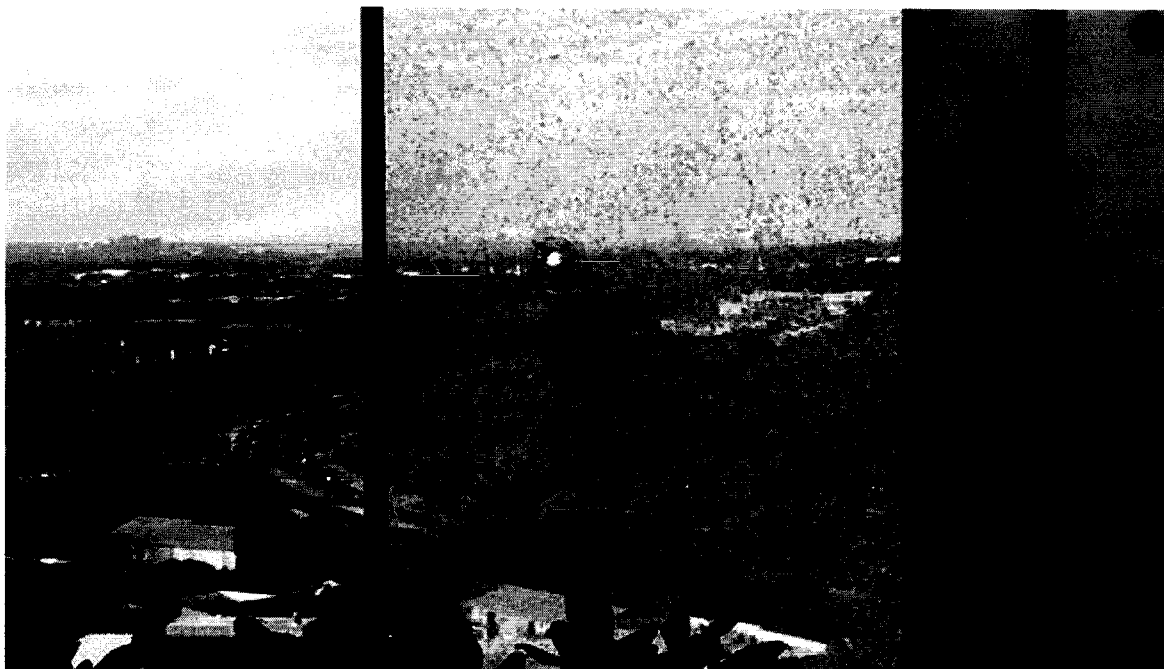
SAN ANTONIO - FBI officials said on Tuesday they have opened an investigation into shots fired into Immigration and Customs Enforcement offices in San Antonio. Authorities described it as a “targeted attack” against federal employees.

Christopher Combs, special agent in charge of the San Antonio division of the FBI, said an unknown number of individuals in an unknown number of vehicles fired numerous rounds into two ICE offices on the Northeast Side at around 3 a.m.




More News Headlines

FBI trying to determine motive in shooting that hit local ICE office
Acting Homeland Security chief: Timing of ICE raids 'unfortunate'



Despite the time of the shooting, FBI officials said federal employees were present in the building. The offices are located near each other, near Loop 410, in commercial buildings with several other businesses.

No injuries were reported but Combs said that if the bullets would have been “two inches in another direction, we could be talking about the murder of a federal official.”

 Here's a photo of one of the bullet holes from this morning. @USCIS stands with @ICE as they work to enforce our laws and keep Americans safe! pic.twitter.com/AUvgpGJco6 — USCIS Acting Director Ken Cuccinelli (@USCISCuccinelli) August 13, 2019

"These shootings were cowardly, brazen, violent acts, absolutely without justification and a threat to our entire community," said Combs. "An attempt to attack federal employees is a federal crime with serious consequences. The FBI will relentlessly pursue every lead in this case to find the individuals who are responsible."

An individual was questioned at the scene but authorities later realized he was not involved and released him. Combs said he believed the shooter or shooters "did some research" and targeted the facility.

"I don't think there is a question that they knew which floor the ICE office is on," said Combs during a press conference Tuesday afternoon at the scene, adding that all the rounds that were recovered were found on the floor that ICE occupies. "To fire indiscriminately into any building is not an act of a protest but an act of violence."

Combs said the agency is concerned about further attacks on ICE agents across the country. He asked for the public's help in identifying the shooter or shooters and provided the following information for anonymous tips: 210-225-6741 or at www.fbi.gov/tips.

"Political rhetoric and misinformation that various politicians, media outlets and activist groups recklessly disseminate to the American people regarding the ICE mission only serve to further encourage these violent acts," said Nina Pruneda, a spokesperson with ICE. "ICE officers put their lives on the line each and every day to keep our communities safe. This disturbing public discourse shrouds our critical law enforcement function and unnecessarily puts our officers' safety at risk."

Stay with KSAT.com and KSAT-12 on-air for more information of this developing story.

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EXHIBIT C

SECTIONS



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LOCAL



'Maybe it was his last stand.' Man killed at Tacoma detention center felt strongly about ICE

BY ALEXIS KRELL

JULY 18, 2019 05:45 AM, UPDATED JULY 23, 2019 03:09 PM



David Giusti talks about his neighbor, Willem Van Spronsen, who was shot and killed by police while protesting at the Tacoma Detention Center. BY

Editors note: This story has been updated to include additional information released by police Thursday.

The converted school bus on Vashon Island where Willem Van Spronsen lived was quiet Tuesday.

That stood in contrast to July 13 when law enforcement descended on the property after police fatally shot the 69-year-old outside the federal immigration detention center on the Tacoma Tideflats — where he was allegedly carrying a rifle and using flares and Molotov cocktails.

Police said four officers fired at him after he pointed a rifle at them and ignored commands to drop the gun. He was hit twice and died at the scene. Investigators found a rifle near him that they said appeared to have malfunctioned during the incident.

Police on Thursday described Van Spronsen as a "known anarchist" who claimed association with Antifa and sent a manifesto to several people prior to his death.

About a dozen police vehicles arrived on the island after the shooting, including a couple of armored ones, neighbor David Giusti said.

"They came in very heavy" and searched the property where Van Spronsen lived and the nearby woods, the 64-year-old told The News Tribune on Tuesday.

The police response seemed exaggerated, Giusti said, given that Van Spronsen was a folk singer and



Modlily

VIDEOS

Cascade Bagel and Deli faces uncertain future

Formerly homeless man gives back through free haircuts

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TRENDING STORIES



Law enforcement was looking for evidence connecting Van Spronsen to the Northwest Detention Center attack and a possible motive, court records show.

"The motive for this incident has not been established, but the incident appears to be a planned event," detective J. Buchanan wrote in an affidavit seeking a search warrant. "Van Spronsen was in possession of a large amount of ammunition, flares, and Molotov cocktails."

Police said they were called to the detention center early July 13, following a report that someone with a rifle was throwing incendiary devices at nearby buildings and propane tanks.

Search warrant documents filed Wednesday said, "Officers noticed several fires in the area to include a vehicle that was fully engulfed. Officers were confronted by a subject armed with an assault rifle and applied deadly force."

The four officers who fired their weapons were put on leave, per Police Department procedure, and police will conduct an internal review.

Van Spronsen was carrying an AR-15-style rifle and a cellphone that had some surveillance-type videos of the detention facility, the search warrant documents state.

When officers arrived at the detention center, they "observed a car on fire and which at some point an explosion occurred inside the vehicle," detective J. Brooks wrote in an affidavit seeking a separate search warrant. "The vehicle continued to burn as it was unknown if other subjects/suspects were in the area."

Video surveillance from the detention center allegedly shows Van Spronsen handling what appeared to be an AR-15 style rifle, setting fire to a building and placing flares in "strategic locations," including beneath a 500-gallon propane tank, Tacoma police said in a news release Thursday.

The video also allegedly shows Van Spronsen blowing up a vehicle and throwing Molotov cocktails at nearby buildings.

Immigration and Customs Enforcement also made a statement after the shooting, which called Van Spronsen an, "Anti-immigration enforcement protester" and said he attempted to ignite a commercial-size propane tank attached to the facility.

"This could have resulted in the mass murder of staff and detainees housed at the facility had he been successful at setting the tank ablaze," said Shawn Fallah, an ICE resident agent in charge.

Disturbed about ICE

Giusti said he'd lived next to Van Spronsen for about three years and that Van Spronsen had lived there for many years prior to that.

He described Van Spronsen as a gentle soul, friendly, soft-spoken and a deep thinker.

"It's Vashon," he said. "Everybody kind of keeps to themselves a little bit."

Every now and then Van Spronsen would talk about his concerns with the detention center and deportations.

"I know he was very disturbed about the whole ICE situation," Giusti said.

He said he doesn't think Van Spronsen intended to hurt the people detained inside the center or that he was trying to burn down the building.

"He wasn't a terrorist," Giusti said. "I think he was a good person who was trying to live his conscience."

He said the photos he's seen indicate the burned car was Van Spronsen's own vehicle.

"Certainly ... he was making mischief and making a stand, and maybe it was his last stand," Giusti said. "... He was trying to make a statement that this was inappropriate for our government to be doing."

Van Spronsen himself immigrated to the United States from Holland — where he was born and raised.

Giusti wasn't sure when his neighbor came to the United States but thought it might have been as a teenager.

Van Spronsen lived in the converted bus on Vashon by himself, Giusti said, and had been working on a bathhouse that opened onto a pasture behind the property.

AUGUST 12 2019 10:31 AM

Washington state wants you to look out for these bugs

Drew Brees pupil J.T. Barrett preparing to play QB right away Sunday for Seahawks

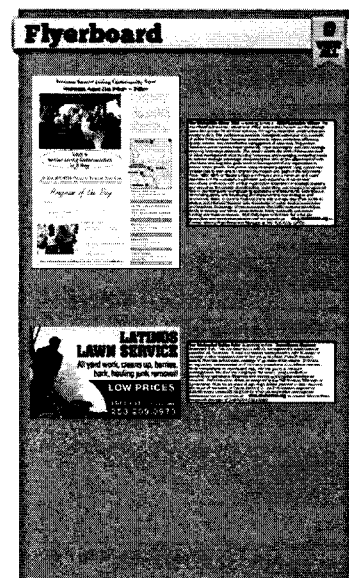
Lakewood's legit bagel shop might close because of the neglect of absentee landlord

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Sarah Hyland's 'I am's Love Story

Lakewood bagel shop owner's suspected partner gets \$5 million bail at arraignment



He was a skilled carpenter and was mechanically inclined, the neighbor said.

"He would say: 'What a place to live. I'm here overlooking the forest and pasture. It doesn't get any better than this,'" Giusti remembered.

He'd often hear Van Spronsen's guitar.

"He would play all the time," Giusti said. "Almost every day."

Van Spronsen performed publicly as well, the neighbor said, including at the island's annual Strawberry Festival.

Giusti said he's noticed songs Van Spronsen posted online recently. Some appeared to be about his political concerns and some about his family, he said.

He has an adult daughter and a younger son, the neighbor said.

Giusti said he'd see him playing catch with his son and riding bikes but that the child hadn't been around recently.

'Dying for a cause'

Court records show Van Spronsen was involved in a contentious and difficult divorce and custody battle for the past six years, which included a number of domestic violence protection orders granted against him.

His now ex-wife wrote in a petition seeking one of the protection orders in January that Van Spronsen talked of dying at the hands of police or of an intentional heroin overdose and that he took their school-age son to what she called militia meetings.

"He would also talk about dying for a cause and anarchist actions," she wrote, among other concerns.

"This was near the end of our marriage. I found it very scary and upsetting because I believed he would do it, even if it hurt someone and even if he died as a result."

The protection order that followed in February made it illegal for him to have firearms.

Van Spronsen denied in his own court filings mistreating or threatening his family.

Giusti said he brought Van Spronsen his mail recently, and that the man seemed quiet and thoughtful, maybe more so than usual.

The neighbor said he wasn't directly sent a copy of the manifesto allegedly written by Van Spronsen that's been widely circulated online but that he's read it.

"It seems, at least most of it anyway, pretty in keeping with his thoughts," Giusti said.

The online version talks about a "father's broken heart" and growing up in post-war Europe.

"My head was filled with stories of the rise of fascism in the '30s," it says. "I promised myself that I would not be one of those who stands by as neighbors are torn from their homes and imprisoned for somehow being perceived as lesser."

Giusti said Van Spronsen was concerned about how protesters were being treated, such as in 2017 when someone drove into a crowd in Charlottesville.

"He talked about the need for protesters to be safe, and that police weren't necessarily providing that," Giusti said.

Previous arrest

Van Spronsen was arrested outside the detention center last year and accused of wrapping his arms around a police officer who was trying to detain a 17-year-old protester during a disturbance at the facility.

He was charged with third-degree assault, obstructing an officer and resisting arrest.

Prosecutors said he had no other criminal history, and he eventually pleaded guilty to obstructing an officer and was given a deferred sentence.

Giusti said Van Spronsen's account was that he was trying to separate a younger protester from law enforcement.



Local display advertising by PaperG



"He got in the middle," Giusti said. "He felt that they were being overly aggressive to this teenager."

Giusti also said that Van Spronsen provided security for protesters as a member of the Puget Sound John Brown Gun Club.

The club has been around for about two years, and Van Spronsen was one of its longest serving members until he resigned recently, member Duke Aaron told The News Tribune.

The group's website describes it as an "anti-fascist, anti-racist, pro-worker community defense organization committed to accountable, community-led defense in the Puget Sound."

"We are definitely not a militia," Aaron said. "We are a community defense organization. We teach and educate. We defend and protect, and we do outreach into impacted communities."

He described Van Spronsen as "a deeply caring person who was impacted by other people's suffering" and who expressed concerns about detention facilities.

"He talked about that, maybe not as exclusively as people would think," Aaron said. "He talked about a lot of things that could be better in the world. ... He definitely had a special piece of his heart dedicated to stopping the rounding up of our neighbors."

As for what happened July 13, Aaron said, "He didn't hurt anybody, and he didn't try to hurt anybody."

Asked if the club could verify that the so-called manifesto being circulated online is from Van Spronsen, the club's attorney said one member got a letter after Van Spronsen's death.

That letter was delivered to law enforcement unopened, attorney Shannon McMinimee said.

She said, from what was visible through the envelope without opening the letter, that it appeared to be consistent with what's been widely publicized.

Asked about Van Spronsen, McMinimee noted his music, and that he had been active in the recovery community.

"He was a longtime AA sponsor and gave of himself deeply to those he was a sponsor for," she said. "... He listened, he cared, he was available, he was transparent and was willing to meet people where they were in order to help them get to where they wanted to be."

Staff writer Stacia Glenn contributed to this report.



ALEXIS KRELL    253-597-8268

Alexis Krell covers local, state and federal court cases that affect Pierce County. She started covering courts in 2016. Before that she wrote about crime and breaking news for almost four years as The News Tribune's night reporter.

Comments



EXHIBIT D

Increasing threats to Homeland Security include burned animal carcass left on staffer's porch

- By
- **GENEVA SANDS**
Jun 25, 2018, 12:09 AM ET



WATCH | Hundreds of protestors continue to demand justice at the Texas border

Department of Homeland Security employees are seeing violent threats with greater frequency because of the president's immigration policy, according to an official with knowledge of a recent threat assessment.

The department determined that there was a "heightened threat against DHS employees" in response to recent government actions surrounding immigration, according to a letter sent to employees over the weekend.

"This assessment is based on specific and credible threats that have been levied against certain DHS employees and a sharp increase in the overall number of general threats against DHS employees," Claire Grady, acting deputy secretary of Homeland Security, wrote to employees on Saturday.

(MORE: Trump signs executive order he says will keep immigrant families together)

(MORE: Confusion continues as immigrant children remain separated from parents)

In early May, the Trump administration announced it would begin enforcing a zero-tolerance immigration policy -- criminally charging everyone who illegally crossed the southwest border. This led to around 2,300 children being separated from their parents as they faced prosecution.

The family separations sparked outrage among advocates and lawmakers across the country, and on Wednesday Donald Trump signed an executive order that said he would keep families together during criminal proceedings.



Activists gather outside the White House in response to a call from the American Civil Liberties Union (ACLU) to protest the... more +

Around two dozen threat reports were issued in the past few days, primarily against Immigration and Customs Enforcement officers, according to the same official. Each of these reports is generally related to a specific online threat. All employees are personally contacted by DHS security if they are the target of a violent threat, the official said.

In one example, a senior DHS official living in the Washington, D.C. area found a burnt and decapitated animal on his front porch, according to an official with knowledge of the incident.

The uptick in threats comes amid multiple protests directed at ICE and Customs and Border Protection officers, as well as the DHS secretary. It's unclear exactly how much the threats have increased.

In Portland, Oregon, protesters calling themselves Occupy ICE PDX camped out in front of an ICE field office for days, The Oregonian reported.

Portland Mayor Ted Wheeler said he supported the protesters, tweeting on Wednesday that he did not want the Portland Police Department "to be engaged or sucked into a conflict, particularly from a federal agency that I believe is on the wrong track."

He added that the demonstration "seemed to be very peaceful."

Mayor Ted Wheeler @tedwheeler · Jun 20, 2018
The policy being enacted by the federal government around the separation of very small children from their parents is an abomination. It is unamerican. I'm glad to see the President seems to be reconsidering this very ill-conceived policy and I hope that happens forthwith (1/4)

Mayor Ted Wheeler @tedwheeler

I drove by the demonstration yesterday, it seemed to be very peaceful and I was pleased to see that. I want to be very clear I do not want the @PortlandPolice to be engaged or sucked into a conflict, particularly from a federal agency that I believe is on the wrong track (2/4)

974 2:36 PM - Jun 20, 2018

250 people are talking about this

Mayor Ted Wheeler @tedwheeler · Jun 20, 2018
Replying to @tedwheeler
that has not fully lived American values of inclusion and is also an agency where the former head suggested that people who lead cities that are sanctuary cities like this one should be arrested. (3/4)

Mayor Ted Wheeler @tedwheeler

If they are looking for a bailout from this mayor, they are looking in the wrong place. -TW (4/4)

2,032 2:36 PM - Jun 20, 2018

318 people are talking about this

Last week, Homeland Security Secretary Kirstjen Nielsen was heckled while eating at a Mexican restaurant in Washington, D.C., by group calling itself the Metro DC Democratic Socialists of America.

"You're eating a Mexican dinner as you're deporting tens of thousands of people separated from their parents," chanted the protesters.

And last Friday, demonstrators played ProPublica audio of crying children outside her Virginia home while chanting "shame!"

In addition to the protests, thousands of employees have had personal data leaked on social media, the letter to employees said. On Thursday, WikiLeaks published information on more than 9,000 supposed current and former ICE employees, saying it is important for "increasing accountability," according to The Washington Post.

"People can disagree on policy," ICE spokeswoman Liz Johnson said in a statement to ABC News, "but it is unconscionable to target our employees and advocate violence against federal law enforcement officers."

EXHIBIT E

From:
To:

Cc:

Subject: FW: Tweet about El Paso and other locations
Date: Tuesday, July 30, 2019 3:45:10 PM

All,

See information below on Antifa in El Paso on 1-10 September. The tweet also lists dates and other locations in WA, CA, OR, MN and IL

Field Security Manager

From: ELP-Taskings <ELP-Taskings@ice.dhs.gov>
Date: Tuesday, Jul 30, 2019, 8:26 AM
To: #ERO EL PASO FLD OFC <EROELPASOFLDOFC@ice.dhs.gov>
Subject: FW: Tweet about El Paso

The following is being disseminated for situational awareness and officer safety. Please remain vigilant

7:43

Telegram



Tweet



Jack Posobiec ✓
@JackPosobiec



Antifa is going to Texas. This won't end

well

 **Andy Ngo**  @MrAndyNgo · 14h

Antifa is leading a "Border Resistance" militancy training tour that will converge on a 10-day siege in El Paso, TX. The promotional image shows border enforcement officers being killed & government property fired bombed. Organizers asking for "white comrades" to pay for others.



6:55 PM · 7/29/19 · Twitter for iPhone

Tweet your reply



EXHIBIT F

CNN World

LIVE TV

Trump threatened to classify Antifa as a terrorist group. Germans hit back

By Rob Picheta, CNN

Updated 12:01 PM ET, Mon July 29, 2019

(CNN) — President Donald Trump's threat to label anti-fascism protest movement Antifa a terrorist organization has prompted a backlash in Germany, where thousands of social media users have pledged solidarity with the group.

Trump tweeted on Saturday that the activist group was made up of "gutless Radical Left Wack Jobs who go around hitting (only non-fighters) people over the heads with baseball bats." He said a move was being considered to label the movement a "major Organization of Terror (along with MS-13 & others)," referring to the international criminal gang the Mara Salvatrucha.

Consideration is being given to declaring ANTIFA, the gutless Radical Left Wack Jobs who go around hitting (only non-fighters) people over the head with baseball bats, a major Organization of Terror (along with MS-13 & others). Would make it easier for police to do their job!

— Donald J. Trump (@realDonaldTrump) July 27, 2019

His tweet followed the introduction of a resolution by Republican Sens. Ted Cruz and Bill Cassidy, aiming to have the group identified as "domestic terrorists."

But the call prompted a flurry of tweets in the US and in Germany, where #IchBinAntifa — I am Antifa — started trending on Twitter.

Several users who used the hashtag referenced Germany's history of fascism and anti-fascist resistance during the Nazi period.

"#IchbinAntifa because my grandfather fought the fascists after they nearly wiped out our entire family," Krsto Lazarević wrote.

#IchbinAntifa, weil schon mein Großvater gegen die Faschisten kämpfte, nachdem diese fast unsere gesamte Familie ausgelöscht haben. Und weil mir nicht von irgendwelchen Nazienkeln sagen lasse, Antifaschismus sei etwas Schlechtes. pic.twitter.com/rD3O4ZHaA2

— Krsto Lazarević (@Krstorevic) July 28, 2019

Another user added, in a tweet that was retweeted hundreds of times: "#IchbinAntifa Because history teaches us just how fragile democracy and the rule of law are when giving right-wing extremists power."

German daily newspaper Neues Deutschland added that they were "outraged" that Trump was considering labeling the group terrorists.

Wer uns kennt, weiß, dass wir die Arbeit der #Antifa zu schätzen wissen und regelmäßig über diese berichten. Deswegen sind wir empört darüber, dass Donald #Trump überlegt, antifaschistische Aktivist*innen auf eine Terrorliste zu setzen. #IchbinAntifa <https://t.co/gHO1nqvgi1>

— neues deutschland (@ndaktuell) July 28, 2019

Antifa, whose name is short for "anti-fascist," have become increasingly visible since the Charlottesville protests in 2017, when white nationalists rallied against the removal of a Gen. Robert E. Lee statue, and the Antifa mounted a counter-demonstration that turned violent. Trump infamously said in the aftermath that there were "very fine people" on both sides.

The term is used to define a broad group of people whose political beliefs lean toward the left — often the far left — but do not conform with the Democratic Party platform.

The group doesn't have an official leader or headquarters, although groups in certain states hold regular meetings.

It is known for causing damage to property during protests, and caused controversy when conservative journalist Andy Ngo claimed he had been attacked by members of the movement.

CNN's Jessica Suerth and Leah Asmelash contributed reporting.

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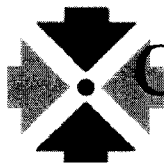


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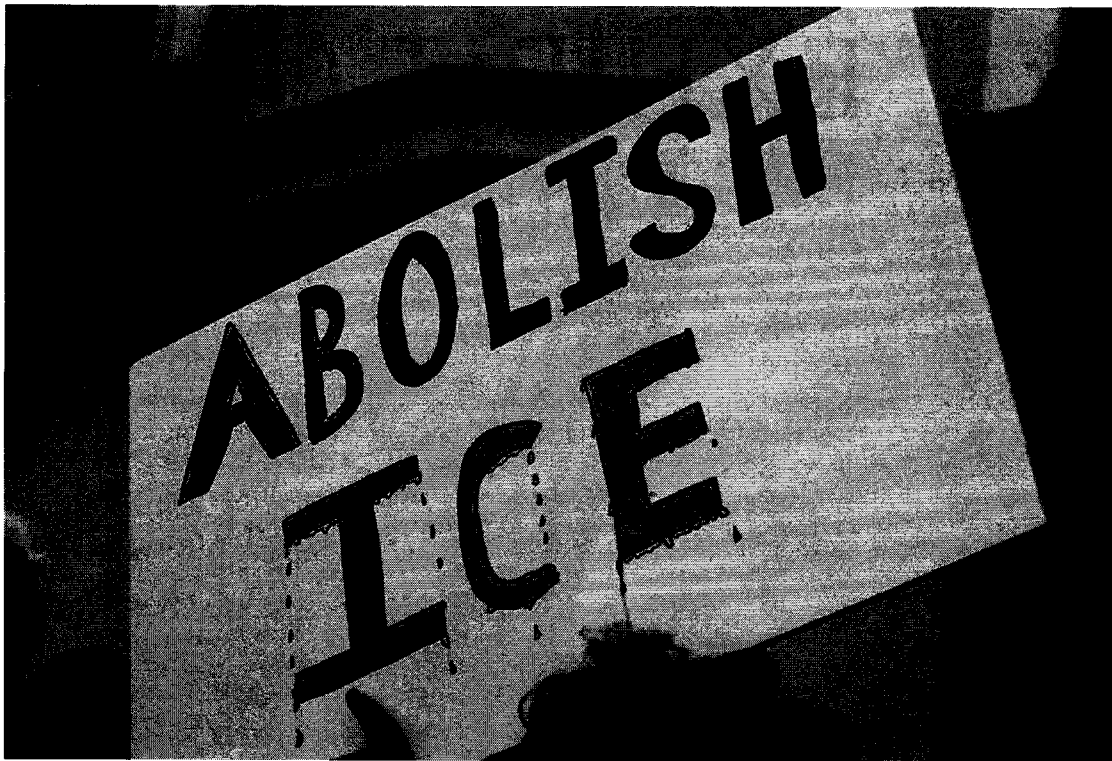
Center for Immigration Studies

The Domestic Terror Threat Against ICE

A reminder that agents remain a terrorism target by those who oppose borders and immigration law enforcement

By Todd Bensman on January 23, 2019

Last summer, Deputy Secretary of Homeland Security Claire Grady issued a warning to employees that they were under "heightened threat" based on "specific and credible threats that have been leveled against certain DHS employees and a sharp increase in the overall number of general threats against DHS employees."



Among those she was referencing were agents of DHS's Immigration and Customs Enforcement (ICE) who, as a group, had come under threat from violent extremists furious over the interior enforcement of immigration law and President Trump's policies. As I wrote at the time, extremists issued implied threats and encouraged the murder of ICE agents from mostly anonymous online perches, as do ISIS propagandists who become the targets of hellfire missiles overseas because their incitement has proven so mortally effective.

At one point, home addresses and other presumably private information of thousands of agents were doxed, or made available to potential extremists, no doubt ramping up the sense of unease as planned.

So far, so good, though. No ICE agents have been attacked or murdered by domestic extremists in the months since ICE officers began taking extraordinary precautions. But continued vigilance is warranted because hatred toward our federal officers remains high.

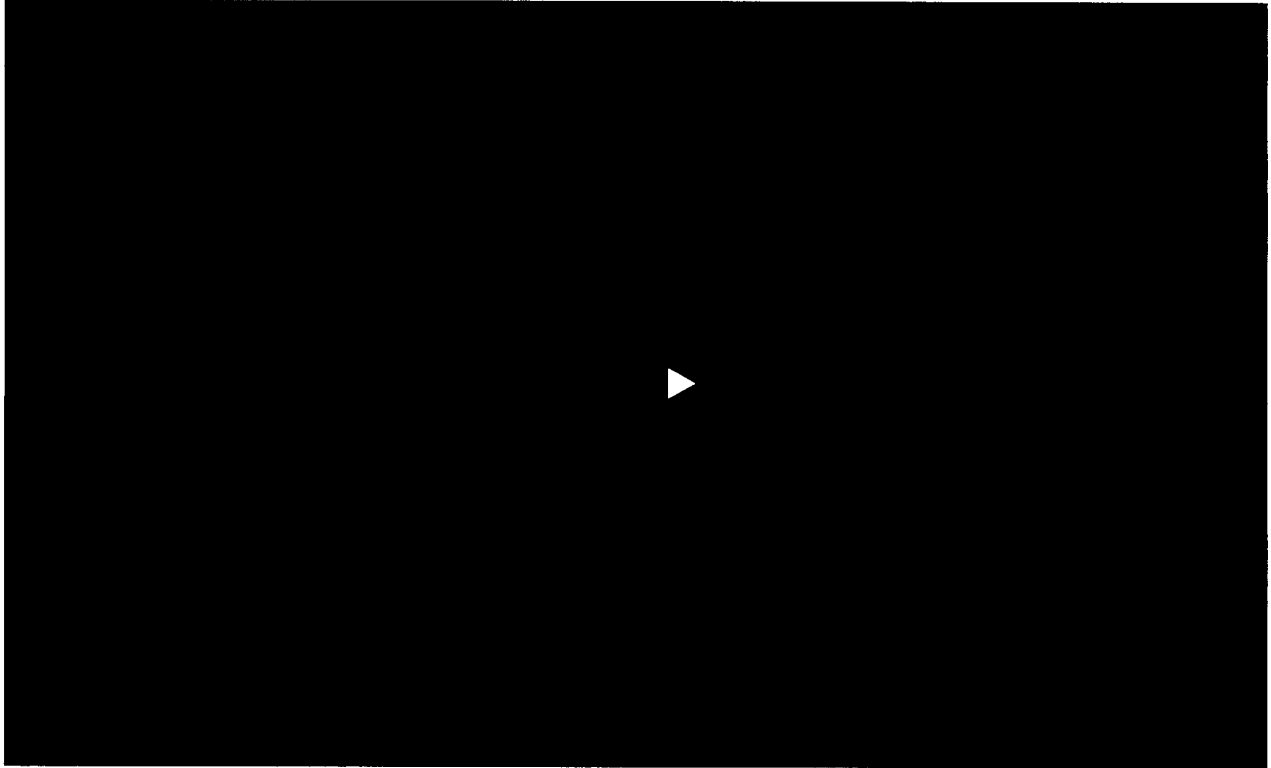
As recently as December 30, the acting head of ICE, Ronald Vitiello, told the Associated Press, "There is a tension

around. It could be that somebody could find out what I do and hate me for it or do worse than hate me for it."

Vitiello said the agency was continuing to monitor social media and provide employees with unspecified "resources" for when they feel threatened.

Law enforcement is inherently dangerous, and ICE agents get no pass on that. I once extensively covered a Palestinian crime gang's repeated plots to murder ICE special agent Scott Springer for busting up their gang.

But this is different because the motivation is rooted in an ideological desire to cause political and social change, the very definition of terrorism.



The first involved Sergio "Mapache" Salazar, an 18-year-old DACA recipient who came under FBI national security investigation for allegedly posting anonymous threats to make bombs that would be used to kill ICE agents. Salazar was under investigation for instructional videos on how to make certain unspecified weapons and countering law enforcement, according to local news reports.

Salazar was participating in anti-ICE protests outside a San Antonio facility on August 3 when he was finally arrested on a technical immigration law violation to get him off the streets while the FBI finished up a counterterrorism investigation, which had gone on for at least a month and was so serious it required covert surveillance of his home and social media. Ultimately, 21 pages of Salazar's online postings compiled by the FBI were waived in immigration court for potential public release, the effect being that Salazar and his RAICES attorneys felt compelled to instead take a forced deportation to Mexico (with its 10-year ban on reentry) rather than fight for the kinder voluntary departure, after which he could reenter sooner and more easily. ICE and the FBI fought the latter on national security grounds.

In Monterrey, Mexico, now, Salazar and his supporters have relentlessly pushed a gap-ridden narrative that ICE and the FBI railroaded him strictly as retaliation for his lawful protest activities. To keep that narrative pure, the bomb-making threats and online postings calling for the murder of ICE agents are never mentioned..

But in a recent podcasted slip (around minute 27), Salazar acknowledged the FBI told him they preferred his deportation because, "if you're in Mexico, we're not worried about you." He said that if he fought for the gentler voluntary departure option and was denied as expected based on the FBI evidence, "the judge would probably have to give a reason ... and that reason probably could have been national security threat, and that would be on my record. Essentially, national security threat is not good. It sounds like they would label me as a terrorist and that would be on my permanent record."

That would be because posting how to make bombs to kill federal officers does not a good future citizen make.

Salazar also recounted how the FBI asked him to inform about any illegal activities involving others that were part of the national security investigation. Salazar boasted that he was no snitch. "Obviously, I didn't tell them anything."

"What animates an FBI agent to come and question them about their friends and about a movement they were part of. What is it that they want to protect so bad that they're willing to go ... so [expletive] low?"

Unwillingness to tell police about potential criminal activity is not exactly an indication of good future citizenship either.

At about minute 47:43 of the podcast, Salazar also betrayed a continuing animus toward ICE and the FBI, all of whose employees he dehumanizes as "liars and snakes".

"I could tell anybody first hand, anybody who works for ICE looks like the most miserable piece of [expletive] on Earth. They all look like demons. I don't know what it's like to work for ICE, but they don't look like humans anymore."

"What is it? What do you stand for? And is that thing you stand for worth it if this is your job? That's something every ICE agent, every FBI agent, every border agent, every security guard needs to ask themselves."

The expressed sentiment might help explain the whole bomb-making thing that was under FBI investigation.

Elsewhere, the case against Brandon Ziobrowski of Cambridge, Mass., appears to be moving slowly. On August 9, FBI agents arrested the 33-year old anti-ICE activist and had him federally charged with using Twitter to offer at least his 448 followers \$500 to "anyone who kills an ICE agent. @me seriously who else can pledge ... get in on this ... let's make this work."

Two people who "liked" this message had their accounts suspended. Earlier, Ziobrowski replied to a tweet from an ICE field office director noting that agents put their lives on the line to arrest criminal aliens. Ziobrowski replied: "Thank you ICE for putting your lives on the line and hopefully dying I guess so there's less of you?"

He also tweeted that guns should only be legal for shooting police officers and that "[Expletive] this police state shooting a cop should get you a medal," records show. He repeatedly tweeted his desire to slit the throat of the late Sen. John McCain.

The arrest warrant affidavit and indictment alleged that Ziobrowski's tweet was designed to encourage violence and the murder of federal law enforcement agents. Ziobrowski, who has pleaded not guilty, is free on bond and living in New York.

Court records from the case show virtually no movement and reveal no new revelations. In October, authorities found that he violated the terms of his release by having two cellphones without the required internet monitoring software. These were flip phones that had Internet access that he didn't report, where he could have potentially used social media outside of court monitoring.

Also in October, his attorney asked for more time to prepare a defense and asked for a status conference with prosecutors this month. In November, Ziobrowski asked the court if he could have his passport back so he could submit it to a new employer.

The employer needed the photo ID for the Real ID program.

Topics: National Security, Immigration and Customs Enforcement (ICE)

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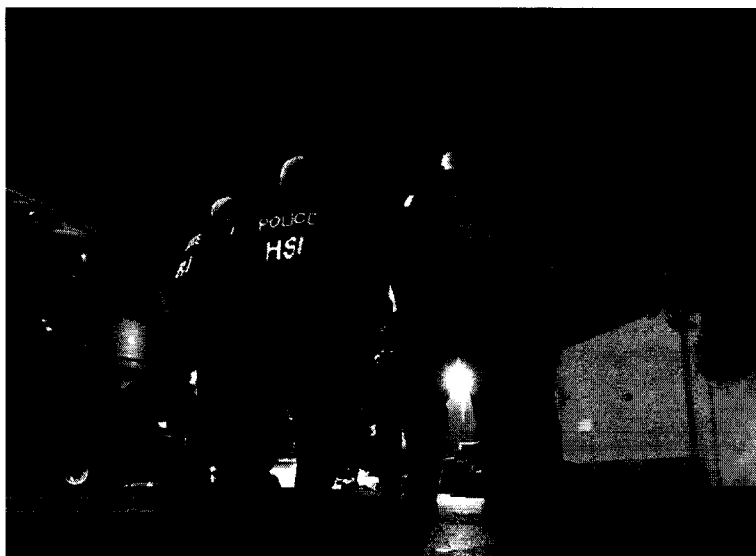
U.S. NEWS

ICE agents face heavy criticism and threats after following Trump's hard-line immigration policy

By THE ASSOCIATED PRESS
DEC 30, 2018 | 10:15 PM



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In this Jan. 10, 2018, file photo, U.S. Immigration and Customs Enforcement agents gather before serving an employment audit notice at a 7-Eleven convenience store, in Los Angeles. (Chris Carlson / AP)

RICHMOND, Va. — The officers suit up in the pre-dawn darkness, wrapping on body armor, snapping in guns, pulling on black sweat shirts that read POLICE and ICE.

They gather around a conference table in an ordinary office in a nondescript office park in the suburbs, going over their targets for the day: two men, both with

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U.S. Customs and Immigration Enforcement's enforcement and removal operations, like the five-person field office team outside Richmond, hunt people in the U.S. illegally, some of whom have been here for decades, working and raising families. Carrying out President Donald Trump's hard-line immigration policies has exposed ICE to unprecedented public scrutiny and criticism, even though officers say they're doing largely the same job they did before the election — prioritizing criminals.

**Pennsylvania manhunt
continues as 'psychopath'
evades capture**

by Taboola

But they have also stepped up arrests of people who have no U.S. criminal records. It is those stories of ICE officers arresting dads and grandmothers that pepper local news. Officers are heckled and videotaped. Some Democratic politicians have called for ICE to be abolished.

ICE employees have been threatened at their homes, their personal data exposed online, officials said.

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"There is a tension around 'It could be that somebody could find out what I do and hate me for it or do worse than hate me for it,'" Ronald Vitiello, acting head of the agency, told The Associated Press.

Vitiello said the agency is monitoring social media and giving employees resources for when they feel threatened.



In this July 2, 2018, file photo, protesters display a sign that reads "Abolish ICE" during a rally in front of the Immigration and Customs Enforcement facility in downtown Los Angeles. (Richard Vogel / AP)

ICE, formed after the Sept. 11 attacks, had been told under the Obama administration to focus on removing immigrants who had committed crimes.

Trump, in one of his first moves in office, directed his administration to target

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Government data back up that ICE is still mostly targeting people convicted of a crime. But the data also show the agency has greatly ramped up arrests of people who were accused of a crime but not convicted, and increased arrests solely on immigration violations.

ICE arrested 32,977 people accused of crimes and 20,464 with immigration violations during the budget year 2018. There were 105,140 arrests of someone with a criminal conviction and 158,581 arrests overall. The most frequent criminal conviction was for drunken driving, followed by drug and traffic offenses.

By comparison, in the last budget year of the Obama administration, there were 94,751 people arrested with convictions, 6,267 arrests of those with pending charges and 9,086 on immigration violations. There were 111,104 arrests overall.

[\[More U.S. News\] Indianapolis high school student says he was threatened for 'crossing a bunch of lines' for his support of LGBTQ rights »](#)

Advocates say a traffic violation shouldn't be enough to get you kicked out of the country. They accuse the agency of stoking fear and tearing families apart.

"You need some kind of agency to deal with immigration, but ICE is not that," New York City Mayor Bill de Blasio, a Democrat, said on radio station WNYC. "ICE's time has come and gone; it is broken. ICE has been sent on a very negative, divisive mission, and it cannot function the way it is."

In response, some cities have banished ICE from jails where they could easily pick up immigration violators. Police in New York, Baltimore and Seattle rarely, if ever, give up information on when suspected criminals in the U.S. illegally will be released from custody.

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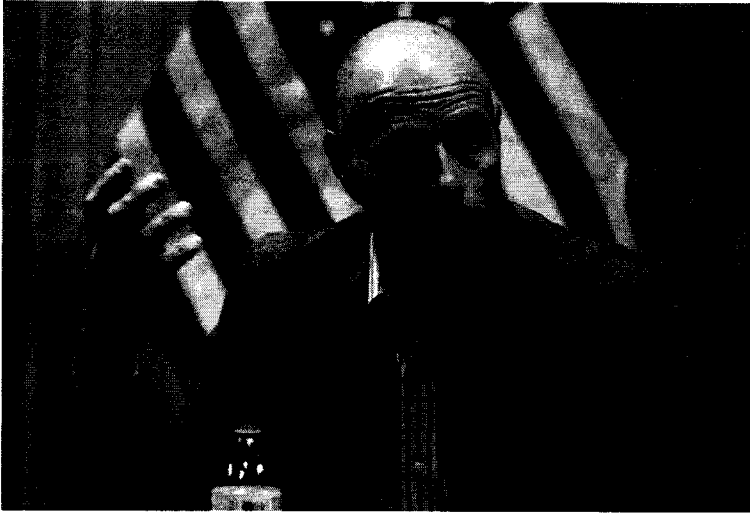
ICE officers now do more street operations and say they end up with more "collateral arrests," people they happen upon who are also in the country illegally. They rarely knock on doors anymore, instead spending hours surveilling and waiting outside. They haunt courthouses.

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In this Nov. 9, 2018, photo Ronald Vitiello, acting head of U.S. Immigration and Customs Enforcement, gestures during an interview in Richmond, Va. ICE employees have been threatened at their homes, their personal data exposed online, officials said. (Steve Helber / AP)

In New York, a Mexican construction worker who has lived in the United States for more than a decade appeared before a judge. He was a week away from clearing his name in a low-level moving vehicle infraction.

When he walked out of the courthouse, ICE officers were waiting for him. He was sent to a detention center and deported less than two weeks later. He left behind a wife and three children.

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"I didn't do anything," said the man, who spoke from Mexico but did not want to be identified because he fears for his family. "I am a hard-working person, I am not a criminal. I don't understand."

In Richmond, the team has a long list of targets, but they're the only officers doing fugitive enforcement so they must prioritize. They've been trailing the Salvadoran man for days.

They split up into two cars and drive over to his apartment. It's pitch black. They wait. The radio crackles. An officer says someone has left but it's so dark it's impossible to see who it is. Lights flash. It's not who they're looking for, it's a woman. They send her on her way. The officers are jittery, thinking the mistake spooked the target. They wait.

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The man eventually emerges from his apartment as the sun begins to rise. He's wearing a neon-green shirt and construction work boots. He gets into his blue SUV and pulls out. The officers box him in on both sides and flash blue lights.

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He's calm as they search him, and he gives them an expired El Salvador passport. His name: Jose Gilberto Macua Gutierrez.

One of the officers backs Macua's SUV back into a parking spot, and he's handcuffed, driven back to the office, fingerprinted and placed alone in a holding cell.

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The operation took too long — they missed the window for their second target.

They will try again.

"It's a rare thing to be arrested in the country if you haven't violated the law," Vitiello said. "If someone is here and don't otherwise come across the criminal justice system, it's very rare that they are going to be arrested by ICE, despite the perceptions that are out there."

Topics: Immigration, Crime, Donald Trump

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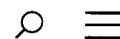
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A Border Patrol Agent walks outside the Central Processing Center in McAllen, Texas, DAVID J. PHILLIP / AP

Management

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Homeland Security Warns of Increased Threats to Employees

A memo from department leadership offers safety tips after public outcries over immigration policy.

ERICH WAGNER | JUNE 25, 2018



Officials at the Homeland Security Department warned employees Saturday of a recent increase in threats in the aftermath of the Trump administration's "zero tolerance" immigration policy.

Government Executive



Grady said there has been an increase in the number of threats made against department employees following the recently implemented policy to prosecute every person who crosses the border illegally, a decision that led to the separation of thousands of children from their parents.

“In recent days, DHS has determined there may be a heightened threat against DHS employees in response to U.S. government actions surrounding immigration,” Grady wrote. “This assessment is based on specific and credible threats that have been levied against certain DHS employees and a sharp increase in the overall number of general threats against DHS employees—although the veracity of each threat varies.”

The memo also made reference to the recent publication of a database of personal information of more than 9,000 Immigration and Customs Enforcement employees, including location, educational background and job history, scraped from LinkedIn.

Additionally, activists hastily organized a protest against DHS Secretary Kirstjen Nielsen after discovering that she was dining at a Mexican restaurant in Washington, D.C., last week.

In light of these recent developments, Grady offered a number of steps employees can take to protect themselves in public. She stressed that if an employee ever feels threatened, he or she should call 9-1-1. If local law enforcement is “slow to respond,” employees can also call the Federal Protective Service.

Additionally, DHS recommended that employees remain “alert” while at or near their workplace, and report any suspicious activity to police or security officers. Employees were advised to “maintain situational awareness” while in public, and to avoid wearing agency badges outside of work.

Grady suggested employees always keep doors and windows at home locked. And she said employees should consider boosting their internet security, from using “strong” passwords to making social media accounts private or being careful about what one posts online.

“Understand that anything you share can be disseminated outside of its intended audience,” Grady wrote. “Be sure to only post information that you’re comfortable with anyone viewing.”

Grady recommended employees pass along these tips to close friends and family as well.

“Keep your heads held high and focused on the department’s important missions,” she wrote. “You are making a difference to secure our country. And in the meantime, let’s continue to be security-conscious and look out for each other.”

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